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UNITED STATES PATENT AND TRADEMARK OFFICE

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 27, 2005

LAHIVE & COCKFIELD, LLP.  
28 STATE STREET  
BOSTON, MA 02109  
US

Dear Sir/Madam,

Your refund request for 09988452 in the amount of \$50.00 has been denied .

A new claim #35 has been added. Claims 18-34 have been withdrawn not cancelled, therefore will not be refunded. See our claims worksheet enclosed.

Sincerely,

ELEANOR KURTZ  
Technical Center Others  
703 308-9010 x177

**BEST AVAILABLE COPY**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Satoshi AOYAGI et al.

Serial No.: 09/988,452

Filed: November 16, 2001

For: FUEL CELL POWER SUPPLY UNIT

Attorney Docket No.: SIW-022

2005 AUG 26 PM 1:57

Group Art Unit: 1745  
US PATENT & TRADEMARK  
OFFICE

Examiner: M. J. Austin

Conf. No. 5172

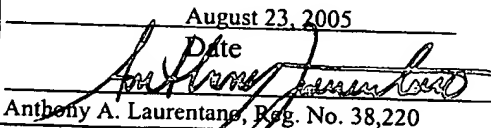
Mail Stop 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Refund Section  
Accounting Division, Office of Finance

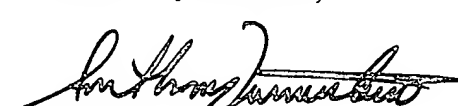
**REQUEST FOR REFUND**

Dear Sir:

Applicants request a refund of \$50.00 charged to our Deposit Order Account No. 12-0080 on July 22, 2005. There were no claims in excess of 20 filed with the Amendment submitted to the U.S. Patent Office on July 11, 2005. A copy of the Amendment Transmittal and Amendment are enclosed in support of this request for refund. Applicants believe that the above-identified charge on July 22, 2005 was erroneous and request that this amount be credited to our Deposit Account No. 12-0080. For this purpose, we enclose a duplicate copy of this letter.

<p><b>Certificate of First Class Mailing (37 CFR 1.8(a))</b> I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: MS 16, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 Attn: Refund Section, Accounting Division, Office of Finance, on:</p> <p style="text-align: right;">August 23, 2005 Date</p> <p> Anthony A. Laurentano, Reg. No. 38,220</p>
---

Respectfully submitted,

  
Anthony A. Laurentano  
Reg. No. 38,220  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
(617) 227-7400

Dated: August 23, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Satoshi AOYAGI et al.

Serial No.: 09/988,452

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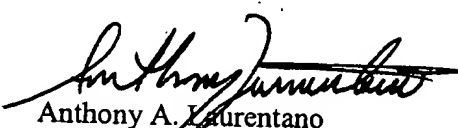
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_____	August 23, 2005
_____	Date
Anthony A. Laurentano, Reg. No. 38,220	

Respectfully submitted,

  
Anthony A. Laurentano  
Reg. No. 38,220  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
(617) 227-7400

Dated: August 23, 2005

EV244880445US

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<b>AMENDMENT TRANSMITTAL LETTER</b>			Docket No. SIW-022
Application No. 09/988452-Conf. #5172	Filing Date November 16, 2001	Examiner M. J. Austin	Art Unit 1745

Applicant(s): Satoshi AOYAGI et al.

Invention: FUEL CELL POWER SUPPLY UNIT

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
<b>Total Claims</b>	18	- 34 =		x	
<b>Independent Claims</b>	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within first month					120.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>120.00</b>

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☒ Please charge Deposit Account No. 12-0080 in the amount of \$ 120.00.  
A duplicate copy of this sheet is enclosed.

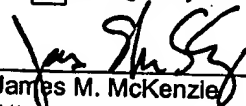
☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-0080 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
James M. McKenzie  
Attorney Reg. No.: 51,146

Dated: July 11, 2005

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 244 880 445 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 11, 2005

Signature: 

(James M. McKenzie)

COPY

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number 09/988452-Conf. #5172 Filing Date November 16, 2001 First Named Inventor Satoshi AOYAGI Examiner Name M. J. Austin Art Unit 1745 Attorney Docket No. SIW-022	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 120.00			

<b>METHOD OF PAYMENT (check all that apply)</b> <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____ <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 12-0080 Deposit Account Name: Lahive & Cockfield, LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	
--	--

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
Fee Description	Fee (\$)	Small Entity Fee (\$)					
Each claim over 20 (including Reissues)			50	25			
Each independent claim over 3 (including Reissues)			200	100			
Multiple dependent claims			360	180			
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>			
34	- 34 =	x	=	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>				
2	- 6 =	x	=				
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
	- 100 =	/50	(round up to a whole number) x	=			
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)				<b>Fees Paid (\$)</b>			
Other (e.g., late filing surcharge): 1251 Extension for response within first month				120.00			

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	51,146
Name (Print/Type)	James M. McKenzie	Telephone	(617) 227-7400
		Date	July 11, 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 244 880 445 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 11, 2005

Signature:

(James M. McKenzie)

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PTO/SB/17 (12-04v2)

Approved for use through 7/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

<p><b>Effective on 12/08/2004.</b> Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<p><b>Complete if Known</b></p>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	
		09/988452-Conf. #5172	
		Filing Date	
		November 16, 2001	
		First Named Inventor	
		Satoshi AOYAGI	
		Examiner Name	
		M. J. Austin	
		Art Unit	
		1745	
TOTAL AMOUNT OF PAYMENT		(\$)	120.00
		Attorney Docket No.	SIW-022

<p><b>METHOD OF PAYMENT</b> (check all that apply)</p>	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account    Deposit Account Number: <u>12-0080</u> Deposit Account Name: <u>Lahive &amp; Cockfield, LLP</u>	
<p>For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)</p> <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

<p><b>FEE CALCULATION</b></p>							
<p><b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b></p>							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<p><b>2. EXCESS CLAIM FEES</b></p>							
						<p><b>Small Entity</b></p>	
Fee Description						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
34		- 34 =	x	=	Fee (\$)		Fee Paid (\$)
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
2		- 6 =	x	=			
<p><b>3. APPLICATION SIZE FEE</b></p>							
<p>If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).</p>							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)		
	- 100 =	/50 (round up to a whole number) x		=			
<p><b>4. OTHER FEE(S)</b></p>							
Non-English Specification, \$130 fee (no small entity discount)						Fees Paid (\$)	
Other (e.g., late filing surcharge): 1251 Extension for response within first month						120.00	

<p><b>SUBMITTED BY</b></p>			
Signature		Registration No. (Attorney/Agent)	51,146
Name (Print/Type)	James M. McKenzie	Telephone	(617) 227-7400
		Date	July 11, 2005

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Dated: July 11, 2005

Signature: (James M. McKenzie)

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PTO/SB/22 (12-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

Docket Number (Optional)

SIW-022

Application Number 09/988452-Conf. #5172

Filed November 16, 2001

For FUEL CELL POWER SUPPLY UNIT

Art Unit 1745

Examiner M. J. Austin

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 12-0080. I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.

☒ Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record. Registration Number 51,146

☐ attorney or agent under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34

*James M. McKenzie*  
Signature

July 11, 2005

Date

James M. McKenzie

Typed or printed name

(617) 227-7400

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of 1 forms are submitted.

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Dated: July 11, 2005

Signature:

*James M. McKenzie*

(James M. McKenzie)